

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the amendment of ARM) NOTICE OF DECISION ON
12.11.501 and the adoption of New Rule) PROPOSED AMENDMENT AND
I pertaining to recreational use on Silver) ADOPTION
Lake in Deer Lodge County)

TO: All Concerned Persons

1. On January 29, 2015, the Fish and Wildlife Commission (commission) published MAR Notice No. 12-439 pertaining to the public hearing on the proposed amendment and adoption of the above-stated rules at page 50 of the 2015 Montana Administrative Register, Issue Number 2.

2. A public hearing on the notice of proposed amendment and adoption of the above-stated rules was held on February 26, 2015.

3. The commission did not adopt or amend the rules as proposed. There is minimal boat activity and very little use by personal watercraft or waterskiing on Silver Lake. Anecdotal information indicates recreational boating has rarely occurred. There are no recorded instances of any unsafe boating, complaints of unsafe boating, or reported accidents. Public comment was predominantly opposed to the rule. Concern remains over potential fluctuating water levels, security of the dam and intake infrastructure, and the potential for boaters to accidentally strike the associated equipment. Alternatively, the commission proposes a 100-foot closure to boating, sailing, floating, and swimming around the equipment on the east end of the reservoir. The proposed rule language is published at page 507 of the 2015 Montana Administrative Register, Issue Number 9.

/s/ Dan Vermillion
Dan Vermillion, Chairman
Fish and Wildlife Commission

/s/ William Schenk
William Schenk
Rule Reviewer

Certified to the Secretary of State May 4, 2015.